

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

PETER F. REMI,

Plaintiff,

vs.

CASE NUMBER: 7:12-cv-722 (GTS/RFT)

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

[] Jury Verdict.

This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

[X] Decision by Court.

This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED the final decision of the Commissioner be and hereby is REVERSED and the matter is REMANDED pursuant to Sentence 4 of 42 U.S.C. §405(g) to the Defendant for further administrative action; and it is further ORDERED that the within matter is DISMISSED in accord with the decision in *Melkonyan vs. Sullivan*, 501 U.S. 89 (1991).

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 26th day of October, 2012.

DATED: October 26, 2012


Clerk of Court

s/ L. Welch
Deputy Clerk